

Atty. Ref. 10257/13
Appl. Serial No. 09/884,168

Remarks

Applicant wishes to thank the Examiner for the opportunity to discuss the pending claims on March 11 and March 29, 2004. Following the above amendment, claims 1-4, 6-10, and 25 are pending in the application. Claims 1-4, 8-10, and 25 stand rejected under 35 U.S.C. § 102(e). Applicant respectfully traverses the rejections and offers that the pending claims are patentable in light of the above amendment and the following remarks. Accordingly, Applicant respectfully requests the Examiner to withdraw the pending rejections.

A. Allowable Claims 1, 6, and 7.

Applicant gratefully acknowledges that the Examiner would consider claims 5-7 allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claim. Claim 1 is in independent form and has been amended to include all of the limitations of former claim 5. Former claim 5 has been canceled, and claims 6 and 7 have been amended to depend from claim 1. Applicant does not note any rejections under § 112 in the pending office action, and believes that claims 1, 6, and 7 meet the requirements of § 112. Accordingly, Applicant offers that amended claims 1, 6, and 7 are allowable.

B. Dependent Claims 2-4, 8-10, and 25 are Patentable Under 35 U.S.C. § 102(e).

The Examiner has also rejected dependent claims 2-4, 8-10, and 25 under 35 U.S.C. § 102(e) as being anticipated by *Layng*. As amended, claims 2-3, 8-10, and 25 depend upon independent claim 1. Claim 4 depends in turn upon claim 3. As discussed above, claim 1 is allowable. Accordingly, dependent claims 2-4, 8-10, and 25 are also allowable for at least the same reasons as discussed above for independent claim 1. Applicant respectfully requests that the rejection under § 102(e) be withdrawn regarding claims 2-4, 8-10, and 25.

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C. Summary

Claims 1-4, 6-10, and 25 are patentable. Applicant respectfully requests the Examiner to grant an early allowance of the application, and a notice of this allowance is requested. The Examiner is invited to contact the undersigned attorney for Applicant via telephone if the Examiner concludes that such communication would expedite allowance of this application.

Respectfully submitted,



Cyrus F. Bharucha
Registration No. 42,324
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

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